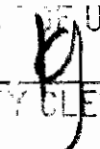


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DISTRICT OF UTAH
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STEPHEN J. SORENSON, First Assistant United States Attorney (#3049)
STEWART C. WALZ, Assistant United States Attorney (#3374)
LESLIE HENDRICKSON-HUGHES, Special Assistant United States Attorney
Attorneys for the United States of America
185 South State Street, #400
Salt Lake City, Utah 84111
Telephone: (801) 524-5682

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,	:	2:98CR 0278ST
Plaintiff,	:	GOVERNMENT'S OPPOSITION TO
	:	DEFENDANTS' MOTION TO SUPPRESS
ROBERT G. WEEKS,	:	
DAVID A. HESTERMAN,	:	
TERRENCE DUNNE,	:	
JOSEPH A. FABIILI,	:	
CHRISTOPHER S. KNIGHT,	:	
LAWRENCE A. KRASNY,	:	
AND KENNETH L. WEEKS,	:	
Defendants.	:	

The United States, by the undersigned Assistant United States Attorney and Special Assistant United States Attorney, hereby responds in opposition to defendant's motion to suppress testimony of Robert Cordes and Barbara Hesterman. The motion should be denied in both respects for the following reasons:

1. No rights of the defendants were adversely implicated during the interview of Robert Cordes. Accordingly, the defendants have no standing to seek suppression of Mr. Cordes' testimony.
2. There was no violation of any statute, regulation, constitutional provision, or privilege

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during the interview of Robert Cordes. Because nothing was done incorrectly, the defendants are not entitled to relief to the relief sought.

3. Even if something were done incorrectly during the interview of Robert Cordes, suppression of Mr. Cordes' testimony is not an appropriate remedy.

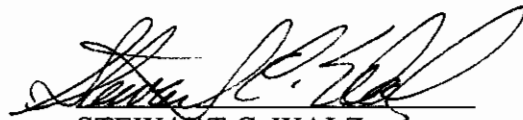
4. There was no violation of Fed. R. Crim. P. 6(e) because no disclosure of Barbara Hesterman's testimony before the grand jury was made to personnel of the Securities and Exchange Commission acting in a civil capacity.

5. Even if there were a violation of Rule 6(e), suppression is not the appropriate remedy.

6. In further support hereof, the United States files the attached memorandum of facts and law.

DATED this 28th day of September, 2000.

STEPHEN J. SORENSON
Acting United States Attorney



STEWART C. WALZ
Assistant United States Attorney
LESLIE J. HENDRICKSON
Special Assistant United States Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of the United States Attorney's Office, and that a copy of the foregoing GOVERNMENT'S OPPOSITION TO DEFENDANTS' MOTION TO SUPPRESS was mailed to all parties named below, this 29 day of September, 2000.

James N. Barber
Bank One, Suite 100
50 West Broadway
Salt Lake City, UT 84101

Max Wheeler
Rick VanWagoner
Snow, Christensen, Martineau
10 Exchange Place, 11th Floor
Salt Lake City, UT 84145-5000

Walter Bugden
Bugden, Collins & Morton
623 E. 2100 S.
Salt Lake City, UT 84106

Earl G. Xaiz
Yengich, Rich, Xaiz
175 E. 400 S. #400
Salt Lake City, UT 84111

Ed Brass
321 S. 600 E.
Salt Lake City, UT 84102

Delano S. Findlay
5350 S. 925 E. #E
Salt Lake City, UT 84117

Francis M. Wikstrom
Douglas H. Owens
Parsons, Behle & Latimer
201 S. Main St. #1800
Salt Lake City, UT 84145

